

From: Gary Duerksen
To: Microsoft ATR
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Subject: Microsoft Settlement

To Whom it May Concern:

I am a high-technology professional for whom computer usage is a daily necessity for survival. Over the course of my 30-year career I have used mainframes, workstations and PC's running JCL, VMS, UNIX, DOS, Windows, Mac OS, etc.; my opinions do not represent a parochial bias derived from group-identification with one computing platform. I also use Microsoft software regularly and have first-hand experience with some of Microsoft's questionable tactics, such as planting traps in Windows to inform a user of non-existent software problems when attempting to run Netscape Navigator.

The pattern in developing technologies has always shown a migration from myriad proprietary standards to a uniform codified set of standards, typically overseen by an independent professional organization. The development of computer operating systems has also moved in this direction, through promotion of operating systems such as open-source UNIX and Linux, and through the development of platform-independent programming languages such as Java. I am convinced that this progression is both beneficial and essential for the health of the industry.

I believe that the Final Judgement proposal agreed to in November, 2001 will do little or nothing to ameliorate the very real harm that Microsoft's monopolistic abuses continue to do to those businesses dependent on the computer industry. Microsoft has used its overwhelming market-share of computer operating systems to guarantee proprietorship over the application software used on virtually all computers. Not only has this practice effectively eliminated all competing internet browsers and seriously impeded the adoption of Java, it also has the potential to limit the burgeoning market for consumer devices that interface with a computer to those that incorporate proprietary Microsoft software.

There is only one remedy that ensures Microsoft will discontinue its anticompetitive practices: mandate the breakup of Microsoft into separate businesses for operating systems and for application software. Not only will this benefit the entire community of computer users, it arguably might improve Microsoft's profitability.

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